

From: MSUSS@aol.com@inetgw
To: Microsoft ATR
Date: 1/14/02 11:31pm
Subject: Microsoft Settlement

To: Dept. of Justice

Subject: Tunney Period Comments

I'm highly opposed to further burdens on Microsoft as sought by the remaining States Attorney General. My reasons are these:

- 1) The responsible Judge insisted on settlement talks which were then accomplished and agreed to by more than half (I count the federal gov't as equivalent to multiple states) of the participants. The remaining 9 are malcontents driven more by special interest companies (seeking to gain by litigation what they couldn't gain in the free market) than by fairness. They should be harshly described as such by DOJ.
- 2) The whole anti-trust case against Microsoft strikes me as the government interfering in a rapidly moving technology arena where it is ill-equipped to render judgment. The anti-trust laws are not modern enough to deal with new technology company competitive issues, wherein companies rise and fall in a very few years depending on their decisions and products and where they must be agile and proficient enough to win consumer confidence.
- 3) Consumers often make their purchasing decisions in a single season. The government can't even develop an internal consensus in a season, much less analyze, bring to trial and administer impartial judgment.
- 4) Some consolidation of influence within a single company, in the case of high tech, is often highly beneficial to the consumer. Lack of a publicly-endorsed Windows standard would have left millions of PCs unable to converse, yielding a tower of Babel, instead of a reliable, innovative, efficient new network of communication.
- 5) Although I've followed the case reasonably closely, I have not yet seen much from Microsoft's detractors concerning how consumers like me have been hurt. My own feeling is that Microsoft products continue to grow exponentially in capability, while growing only very modestly, if at all, in price. I feel Microsoft's economic impact to me has not been adverse, but on the contrary has been highly beneficial. DOJ should force dissenting states to provide an economic-impact-to-consumers (not business competitors) statement as a basis for any complaint. This statement should be reviewed by competent economists. I'm skeptical such a statement could be assembled.

Sincerely,

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